



TOWN OF KNIGHTDALE

Land Use Review Board

7:00 pm

Monday, October 12, 2015

950 Steeple Square Court, Council Chambers
Knightdale, NC 27545

Minutes
Board of Adjustment

I. CALL TO ORDER

Chairman Pete Mangum ***called*** the meeting to order at 7:03 pm.

II. ROLL CALL

The following members were present:

QJ Members Present: Richy Narron, Rita Blackmon, George Hess, Stephen Morgan

QJ Alternates Present: Richard Godwin, Pete Mangum, Alice Alexander, Chuck Piratzky

Absent: Michael Blake

Staff Members Present: Jason Brown, Matt Christian, Jennifer Currin, Donna Tierney

Attorney Present: LURB Attorney John Silverstein, Town Attorney Clyde Holt

...Mr. Mangum called for nominations for an alternate QJ member. Mr. Morgan nominated Alice Alexander. Mr. Hess seconded the motion and it carried unanimously.

III. PUBLIC HEARINGS FOR QUASI-JUDICIAL CASES

A. VAR-4-15, 112 Rochelle Drive

Senior Planner Jason Brown explained to the Board that property owners Peter Mandrino and Linda Dries applied for a variance to the Town of Knightdale Ordinance Section 4.6(C) 1.a.i, and 4.6(C)1.a.ii for the lot addressed 0 Rochelle Drive with the Wake County PIN 1753.10-36-0623. The applicant is requesting a variance to allow for an accessory building larger than 800 square feet and an accessory building height taller than the principal structure. Also, to be included are the other properties owned by the applicant including 112 Rochelle Drive identified by Wake County PIN 1753.10-26-6647 and 0 Rochelle Drive identified by the Wake County PIN 1753.10-26-8652.

Mr. Brown further explained the three parcels of land total roughly three acres. On one tract, the applicants are proposing to construct a 2,880 square feet building with an overall height of 29 feet. This is an increase of 2,080 square feet in area and 11 feet in overall height. Mr. Brown also informed the Board that prior to an accessory building being built on this property a recombination plat will be required in order for the accessory building to be on the same lot of the principal structure it serves.

Mr. Godwin inquired if someone would live in the structure. Mr. Brown's understanding is that it will not be occupied.

There was discussion regarding the requirement that the building not cover more than 20 percent of the total combined area. Mr. Hess asked if the applicants could essentially have four separate buildings instead of the one large one and Mr. Brown confirmed.

Ms. Alexander asked if there are landscape requirements for the building and Mr. Brown replied there are not.

Mr. Hess inquired if there was an existing zone in town where they can do what they are requesting. Mr. Brown explained that the Rural Residential zone allows for this.

Mr. Piratzky inquired if the property was land locked. Mr. Brown confirmed there is no public access to the property and the three parcels will need to be recombined if the variance is granted. Mr. Piratzky also commented he saw a blueline stream running through the property when he viewed it on Wake County's iMAPS. Mr. Brown will have to look into this further but explained the survey does not show the stream.

Mr. Hess inquired if Staff has determined there is no other way to meet the Town's ordinance and Mr. Brown confirmed.

Property owner Linda Dries spoke as to why they are pursuing the variance. They recently moved from New York and need a place for their belongings, such as classic cars, a tractor, bush hog, and enclosed trailer. When they originally bought the land, they thought it would be large enough for a storage building. Ms. Dries explained the property was bought as a foreclosure. They have since removed the gazebo and small building shown on the plot plan, put over \$3,000 into the property, and cleaned up the yard.

Ms. Dries also stated they hired an engineer to design an attractive stick built building. There is a tree line on both sides and it will not be visible from the road.

Valerie Poe, who resides at 200 Rochelle Drive, has a direct line of sight to what the applicants are proposing. She does not have an issue with it, and stated that it is out in the middle of nowhere.

Chairman Mangum commented that the parcel was unique and that he believes the proposed structure is proportionate to the land size of three acres.

Mr. Morgan commented that he does not think this should be a variance but a zoning text amendment instead.

Mr. Hess stated that the required findings of fact are not met, and the reasons enumerated do not fall under the justification for a variance. As an alternative, the applicants could build four separate buildings instead of one the proposed size. Mr. Morgan agreed the requirements were not met.

...Mr. Morgan motioned to deny variance VAR-4-15 for 112 Rochelle Drive. Mr. Hess seconded the motion. The motion passed 4:1 with Ms. Alexander opposing the motion.

B. VAR-5-15, 7325 Knightdale Boulevard

Mr. Brown provided an overview of the variance to the Board. Property owner Michael Parks, who resides at 2548 Oakes Plantation Drive, Raleigh, NC 27610, applied for a variance to the Town of Knightdale Ordinance Section 8.7 and Section 8.10 for the lot addressed 7325 Knightdale Blvd and further identified by Wake County PIN 1754.10-36-0172. The applicant is requesting a variance to the screening requirements and street tree requirements as part of the changing use process.

Mr. Brown further explained the applicant has worked with Wake County Environmental Services to relocate the septic tank to the front yard and the repair area in the rear. Due to the location of the septic lines, driveway, and right-of-way dedication the applicant does not have the space to place the required parking lot screening and street trees. There applicant is providing the required screening for the rear parking area on the western property line.

Mr. Hess inquired if relocating the septic tank to the rear would change the need for the variance. Mr. Brown replied that the applicant could speak better to that question.

Mr. Morgan inquired about the shrubs shown on Knightdale Boulevard. Mr. Brown explained the applicant will provide screening on three sides of septic tank to avoid it being run over by vehicles. He also confirmed there is not any public sewer on the site.

Mr. Piratzky questioned the fact that the existing building had been used for business in the past and inquired if the change of use is why the variance is being requested. Mr. Brown explained the home had been used for commercial offices in the past, but was never officially converted to a commercial use.

Senior Planner Jennifer Currin clarified that there is public sewer behind the Auto Zone and drug store adjacent to the property. When annexation occurred, the property owner at the time did not request to be included. If the current property owner went through the annexation process now, they would have to designate easements and it would be more of a hardship.

Property owner Michael Parks explained the house was used as offices prior to the time he purchased the property and he does not think the previous owners ever obtained approval from the Town.

Andy Lamm, engineer for the project, explained the process for relocating the septic tank. Wake County Environmental Services determined the front yard was suitable to locate the tank with the repair area in the rear. Asphalt was removed in the back to make room for this repair area. Because of the previous stated reasons, they do not have room in the front to screen the handicap spot.

Mr. Godwin inquired if the commercial system is smaller than a residential system. Mr. Lamm confirmed and stated the flow is less.

Mr. Morgan checked that the septic system would not be located in the designated right of way and Mr. Lamm confirmed.

...Mr. Morgan motioned to approve VAR-5-15 for 7325 Knightdale Boulevard. Ms. Alexander seconded the motion. The motion passed 5-0.

...Mr. Mangum called to end the quasi-judicial portion of the meeting at 7:46 p.m.



Chairman of the Land Use Review Board, Pete Mangum



Attest, Clerk to the Land Use Review Board, Donna Tierney